House Amendment 1476

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1  1      Amend House File 694 as follows:
1  2      #1.  Page 17, by striking lines 21 through 31 and
1  3  inserting the following:
1  4      <NEW SUBSECTION.  11.  If a vacancy in a judgeship
1  5  occurs, the judgeship shall be apportioned to the
1  6  judicial election district having the greatest
1  7  percentage of need between authorized judgeships and
1  8  judgeships specified by the formula in subsection 3,
1  9  as calculated by the state court administrator.  If
1 10  two or more judicial election districts have an equal
1 11  percentage of need between authorized judgeships and
1 12  judgeships specified by the formula, the judgeship
1 13  shall be apportioned by the state court administrator.
1 14  However, an apportionment under this section shall not
1 15  occur if the results of the apportionment would cause
1 16  the judicial election district in which the vacancy
1 17  occurs to have a greater percentage of need between
1 18  authorized judgeships and judgeships specified under
1 19  the formula as calculated by the state court
1 20  administrator, than would the judicial election
1 21  district which would receive the apportioned
1 22  judgeship.>
1 23      #2.  By striking page 17, line 32, through page 18,
1 24  line 27, and inserting the following:
1 25      <NEW SUBSECTION.  12.  Notwithstanding any other
1 26  provision of the Code to the contrary, if the chief
1 27  justice of the supreme court determines an inequity
1 28  exists in the allocation of judgeships and judicial
1 29  workload between judicial election districts, the
1 30  chief justice may authorize a voluntary permanent
1 31  transfer of a district judge from one judicial
1 32  election district to another.  The chief justice shall
1 33  notify all eligible district judges of the intent to
1 34  authorize a voluntary permanent transfer and the terms
1 35  of such a transfer.  The chief justice may transfer a
1 36  district judge who consents to the transfer within six
1 37  months of the notification.  The transfer of a
1 38  district judge shall take effect within sixty days of
1 39  the official announcement of the transfer by the chief
1 40  justice.  A district judge transferred pursuant to
1 41  this subsection shall have six months from the date of
1 42  the announcement of the transfer to establish
1 43  residency in the judicial election district where the
1 44  district judge is transferred.  A district judge who
1 45  has been transferred shall stand for retention in the
1 46  judicial election district to which the district judge
1 47  has been transferred as provided in chapter 46.  For
1 48  purposes of subsection 3, the judgeship shall be
1 49  apportioned to the judicial election district where
1 50  the judge is transferred.  A voluntary transfer
2  1  pursuant to this subsection shall not cause a vacancy
2  2  of a judgeship in the judicial election district from
2  3  which the district judge was transferred.  A transfer
2  4  under this section shall not occur if the results of
2  5  the transfer would cause the judicial election
2  6  district from which the district judge would be
2  7  transferred to have a greater percentage of need
2  8  between authorized judgeships and judgeships specified
2  9  under the formula as calculated by the state court
2 10  administrator, than would the judicial election
2 11  district to which the district judge would be
2 12  transferred.>
2 13      #3.  By renumbering as necessary.
2 14
2 15
2 16  _____
2 17  SWAIM of Davis
2 18
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2 20  _____
2 21  KUHN of Floyd
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2 23
2 24  _____
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2 25  MERTZ of Kossuth
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2 27
2 28  _____
2 29  WHITAKER of Van Buren
2 30
2 31
2 32  _____
2 33  GASKILL of Wapello
2 34
2 35
2 36  _____
2 37  REASONER of Union
2 38  HF 694.301 80
2 39  jm/cf
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